

AUG-29-06 15:40 FROM-HORTECH, INC.

6168423273

T-203 P.01/06 F-128

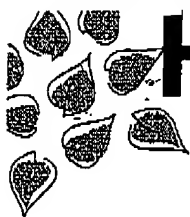
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8/29/06

Attn: Joyce Bridges
Fr: Dave MacKenzie

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HORTECH, INC

Premium Plants Steadfast Service

Phone: (616) 842-1392

Fax: (616) 842-3273

5/24/06

Kent Bell
Commissioner for Patents

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AUG 29 2006

Dear Kent,

Enclosed please find the assignment papers that you requested July of 2005. As you can see by the returned receipt, I had responded in timely fashion last year with the papers whereby the inventor Chris Howe (and employee of Hortech), assigns the rights to this plant to me (the owner and president of Hortech).

I will give you a call next week to make sure that this has arrived ok.

Thank you,

Dave MacKenzie

fax 571 273 8300

P.O. Box 533

Spring Lake, MI 49456-0533

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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/514,930 | 10/15/2001 | Christopher B. Howe | | 9263 |

7590

07/13/2005

David S MacKenzie
Hortech Inc
P O Box 533
Spring Lake, MI 49456

EXAMINER

BELL, KENT L

ART UNIT

PAPER NUMBER

1661

DATE MAILED: 07/13/2005

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Commissioner of Patents

The proposed reply filed on March 26, 2003 has not been entered because it is unsigned, i.e. The Amendment and Response papers were not signed by a person having authority to prosecute the application. Therefor, the unsigned amendment will not be entered (MPEP 714.01(a)).

MPEP 714.01(a):

37 CFR 1.33. Correspondence respecting patent applications, reexamination proceedings, and other proceedings.

(b) Amendments and other papers filed in the application must be signed by:

- (1) An attorney or agent of record appointed in compliance with 1.34(b);
- (2) A registered attorney or agent not of record who acts in a representative capacity under the provisions of 1.34(a);
- (3) The assignee of record of the entire interest, if there is an assignee of record of the entire interest;
- (4) An assignee of record of an undivided part interest, and any assignee(s) of the

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PTO/SS/86 (08-04)

Approved for use through 07/31/2006. OMB 0851-0081

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STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: Christopher B. HoweApplication No./Patent No.: 09/514,930 Filed/Issue Date: February 28, 2000Entitled: Sedum purpureum 'Pink Chablis'Hortech, Inc. a Corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.
The extent (by percentage) of its ownership interest is _____ %

In the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached. Enclosed

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
2. From: _____ To: _____
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3. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.☐ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

David Mackenzie

Signature

David Mackenzie

Printed or Typed Name

President

Title

8/2/2005

Date

616 842-1392

Telephone Number

This collection of information is required by 37 CFR 3.73(o). The information is required to obtain or retain a benefit by the public which is to the (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Assignment of Patent Rights

I, Christopher B. Howe, Christopher B. Howe, attest to having discovered a new form of Sedum with variegated foliage and registered under the cultivar name Sedum purpureum 'Pink Chablis'.

I found this plant at Hortech during the course of my duties as an employee of Hortech, Inc. And, in accord with the policies of Hortech, Inc. I acknowledge this new plant to be the property of Hortech, Inc. Accordingly, by signing below, I assign all rights, to patents and otherwise, to Hortech, Inc. of Spring Lake, Michigan.

Christopher B. Howe 8/2/05
Christopher B. Howe date

Harold W. Wason 8-2-05
notary Public for date
OTTAWA COUNTY MICHIGAN

my commission expires
12-27-05

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